

MEETING MINUTES

March 27, 2018 Planning Board Meeting
7:00 P.M. | City Council Chambers, Woburn City Hall

Chair Dave Edmonds called the meeting to order at 7:00 p.m. and asked City Planner/Grant Writer Dan Orr to conduct a roll call of members.

ROLL CALL OF MEMBERS

Mr. Kevin Donovan, Mr. Bob Doherty, Ms. Claudia Bolgen, Mr. Jim Callahan, Ms. Carolyn Turner, and Chair Dave Edmonds were present; Mr. Michael Ventresca was absent. Also present were Planning Director Tina Cassidy and City Planner/Grant Writer Dan Orr.

26 WINTER STREET ANR (E&A Properties LLC [applicant], Frederick Cramphorn Jr. [owner])

Cassidy provided an overview of the ANR application. The plan proposes to divide the main parcel into two separate building lots resulting in the creation of one new building lot. No non-buildable lots nor any non-conformities will be created as a result of this plan and the buildings to be removed are labeled as such.

Cassidy further stated that she recommends the Board's approval of the ANR plan as one not requiring approval under the Subdivision Control Law.

Motion to accept the Planning Director's recommendation for ANR endorsement, made by Bolgen;
Seconded by Doherty;
Motion carried, 6-0-0.

12 BUCKMAN COURT DEFINITIVE SUBDIVISION (Nardone Property Group LLC)

Planning Director Cassidy provided an overview of review timeline for this subdivision. Although the public hearing was opened on this matter at the February 13th meeting, it was immediately continued to a subsequent date. Tonight's meeting is the actual initiation of Board discussion.

Attorney Joe Tarby, Murtha Cullina, 600 Unicorn Park Drive, approached the Board representing the Petitioner and stated the engineer could not attend the Board meeting this evening due to a scheduling conflict.

Tarby provided an overview of the proposal to extend the existing Buckman Court layout to allow for razing the existing dwelling and constructing a new 2-family dwelling in its place. The proposal complies with minimum lot size and frontage requirements for the R-1 district.

Tarby further stated that waiver requests remain under review by the Departments of Engineering and Public Works. The project engineer is currently revising the plan based on the department comments received thus far. As plan updates, the proposed house and driveway will be moved east to allow for adequate area for snow storage at the end of the street, in addition to a turnaround configuration.

Tarby further reviewed the proposed water service extension and trench drain, which will be added to capture the runoff from the property. They have requested an additional waiver, from the requirement to conduct a fire flow test.

Tarby further stated that the developer will have to postpone the flow test until the weather becomes a little warmer. The project engineer also maintains that the flow test is not necessary due to the small scale of the proposed development

Cassidy asked about the presence of a turnaround. Tarby responded that there is not a "T" turnaround as specifically designed, but there will be sufficient turnaround space for an emergency vehicle.

Callahan asked why the proposed roadway width is only 22' instead of 26'. Tarby responded that he is not certain on this point.

Callahan stated that flow tests can be conducted at this point in the season, as he conducted one recently.

Edmonds opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

Mr. Michael Thomas, 4 Buckman Court, approached the Board. He is all for improving the neighborhood, but he would like to know why the existing residence is not being replaced with something similar.

Mr. Thomas further stated that he would like to be something done at the dead-end of the street so that emergency vehicles are able to turn around. He also stated that something needs to be done to take roadway safety into consideration for the benefit of the neighborhood children.

Mr. Thomas further stated that he does not want the new home to inhibit his privacy. He would appreciate some type of screening measure installed, such as trees. He stated that flooding in the area is very challenging and has had to contact the City to address the issue of drainage obstructions.

Mr. Thomas further stated that it is important for the City to conduct a full analysis of the drainage issues onsite to ensure that it is properly addressed given current flooding sensitivity in the area and the presence of swampland. Overall, he would like to avoid any risks to his property.

Mr. Dan Lionetta, 16 Buckman Court, approached the Board and discussed concerns about current drainage conditions and the lack of areas for water retention. He stated that there is a catch basin at the end of his driveway and the overflow from the catch basins go into a side yard.

Mr. Lionetta further stated that he received an opinion from an engineer who stated that the proposed two catch basins are not sufficient for the amount of storm water that is generated on the lot proposed for development.

Tarby stated that if you look at the plans, there will be an infiltration system installed on the property. In addition, City Engineer Jay Corey has examined the proposed drainage system and finds it to be adequate for the scope of the development. For other questions he must defer to the project engineer, Mr. Russell.

Callahan stated that the developer must take into consideration the amount of stormwater in the vicinity and the drainage that is required to capture the water that is displaced as a result of the new construction.

Callahan inquired about filing this application with the Conservation Commission and their resulting comments. Cassidy responded that no concerns have been raised on this project on behalf of the Commission thus far, but she will double-check with Administrator Theresa Murphy once revised plans are submitted.

Callahan inquired about requesting a formal opinion from the DPW Superintendent relative to drainage for this project. Cassidy responded that she would do so.

Turner inquired about any department response to the fire flow test waiver request submitted by the project engineer. Cassidy stated that she has deferred disseminating the waiver request until revised plans are submitted at which time she would forward both to the various City departments. She hopes to do so before the Board's April meeting.

Cassidy stated that she would recommend a continuance of the public hearing, to either the Board's April 24th or May 8th meetings, depending on how the Board would like to accommodate the planned workshop meeting and other upcoming business matters.

Motion to continue the public hearing until May 8th at 7:00 p.m., made by Callahan;
Seconded by Doherty;
Motion carried, 6-0-0.

DOUGLAS CIRCLE DEFINITIVE SUBDIVISION (88-92 PEARL STREET) (Cattle Crossing LLC)

Edmonds recused himself for this matter and Donovan assumed the role of Chair pro-tem.

Attorney Tarby provided an overview of the application with a roadway proposed to be named after deceased Woburn veteran, Alan R. Gerrish. The subdivision plan proposes to create three lots conforming with required minimum lot sizes and frontages. The existing two-family dwelling at 90-92 Pearl Street is to be retained; two new two-family dwellings are to be constructed on the remaining two lots.

Tarby further stated that relative to the Department of Public Works and Engineering requests for inclusion of grass strips, a continuous concrete sidewalk on one side of the street, hydrant relocation (to the back of the sidewalk), utility installation/connections, pavement widening (to 26' from 20'), drainage concerns, and light pole placement, the developer has agreed to address these items and revise the plan accordingly. In addition, ASB Design has submitted a memo that provides a comprehensive list of responses to all departments' requested plan modifications.

Thad Berry, project architect, ASB Design Group, approached the Board to provide an overview of the design features.

Berry stated that, in addition to addressing Engineering and DPW comments, they have revised their plans to address Conservation Commission comments.

Berry further stated that the infiltration systems are proposed to only provide drainage for the proposed two houses and not the roadway.

Donovan opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

Mr. Nick Catizone, 8 Bartlett Drive, stated that he has not seen a copy of the latest revised plans.

Mr. Catizone inquired about whether the revised plan has been posted to the Planning Board webpage. Cassidy responded that she does not believe the webpage has been updated with the latest plan but staff will be able to do so by tomorrow.

Mr. Catizone stated that his major concern is how the stormwater will be addressed, particularly as he is a direct abutter. He intends to take pictures of the site and send them to the Planning Board. He stated that he is concerned about pooling water on and adjacent to his property, and the attraction of mosquitos, and believes that that the proposed construction will make it worse.

Mr. Catizone asked about whether there could be any further development on the parcel beyond what is proposed. Cassidy responded that aside from a zoning change to the parcel, any additional beyond what is currently proposed would be prohibited.

Berry reviewed the location of the "best management practice" (BMP) for the drainage that is proposed for the site.

Berry stated that they are seeking permission from the Conservation Commission to clear out the back area of the parcel and replant it with native species.

Berry further stated that maintenance of the proposed subdivision will fall under the purview of a Homeowner's Association (HOA)

Mr. Catizone inquired about the status of the units as condos. Cassidy clarified that the intent of these homes is to be condos and as a such an HOA would stipulate how the maintenance of the drainage system would take place.

Cassidy asked Tarby how drainage system would be maintained in the event that the units are offered as rentals. Tarby responded that the intent of the applicant is to offer the units as condos, but in the event that they end up as rentals, the maintenance of the drainage system would fall to the property owner.

Berry stated that the future homeowners will be responsible for maintaining the drainage system under Massachusetts Department of Environmental Protection (DEP) regulations.

Bolgen asked for clarity about the BMP and the rational for the HOA overseeing the maintenance of the drainage system. Berry responded that the BMP as designed is intended to ensure that all of the lots are contributing to stormwater mitigation.

Bolgen inquired about the landscaping features. Berry stated that the wetlands will be enhanced with native species and a variety of upland plants, but portion of the proposal will be contingent upon Conservation Commission approval.

Bolgen inquired about the "wet" times of the year and whether the plantings will be completely saturated. Berry responded that lower grades of the plantings infiltrate water at a slower rate

depending on the time of year, but overall the infiltration rate will be increased as a result of the proposed plantings for the highest frequency-grade storms.

Bolgen inquired about the BMP and how it will reduce the amount of water flow for the residents on Bartlett Drive. Berry responded the BMP is designed to take as much water into the soil as possible during peak rainfall events and also to provide storage.

Bolgen inquired about the BMP and what could be expected among abutting residents, particularly on Bartlett Drive. Berry responded that the proposed drainage will substantially increase infiltration on the immediate property, but he is not able to provide a specific answer as to a lessened flooding impact on the Bartlett Drive properties.

Mr. Catizone stated that he does not believe that the water that is to be retained in a low-laying area will be infiltrated as proposed. In his experience, the water in the back of his home is stagnant and does not entirely migrate into the ground.

Berry stated that the developer is required to conduct soil testing that is modeled over the course of many years. They must understand the textural class of the soil, in addition to the seasonal high water table to determine the expected level of infiltration.

Bolgen asked about the line of sight resulting from the new road and reminded the audience that residents had expressed concern about the safety of the intersection. She would like to highlight department feedback. Cassidy responded with the comments submitted by the Engineering Department, which indicated that the line-of-sight looking toward the southeast from the proposed Alan R. Gerrish Drive would not meet the Board's 200 ft. standard for lines of sight (the proposed roadway configuration has a clear line-of-site of only 149 feet +/-).

Bolgen stated that she would appreciate comment from other departments, such as a traffic safety perspective from the Police Department, so that her line-of-sight concerns may be addressed further.

Chair pro tem Donovan asked the Director for her recommendation. Cassidy responded that she would recommend continuation of this public hearing to the April 10th meeting at 7 p.m. to provide sufficient time for a response from appropriate departments relative to the line-of-sight.

Motion to accept the Planning Director's recommendation, made by Doherty;
Seconded by Bolgen;
Motion carried, 5-0-0, with Edmonds abstaining.

Donovan stepped down as Chair pro-tem and Edmonds re-assumed the role of Chair.

PROPOSED ZONING TEXT AMENDMENT TO ESTABLISH MAXIMUM RESIDENTIAL DENSITY REQUIREMENT OF TWENTY (20) UNITS PER ACRE FOR ALL ZONING DISTRICTS EXCEPT B-D (DOWNTOWN BUSINESS) DISTRICT (Aldermen Haggerty, Anderson, Higgins, Tedesco, Mercer-Bruen, Gately and Campbell)

Alderman Anderson approached the Board to provide an overview of the proposed zoning amendment. The genesis of the proposed zoning amendment is the anticipated trend of developing and redeveloping parcels along the Commerce Way corridor specifically and concerns over the amount of residential density that could occur over time in that area. However, the intent was to exclude the business district (B-D zoning district) of Woburn to ensure that there are no impediments to projects in that portion of the city.

Alderman Anderson verbally reviewed a map provided by the Engineering Department that visualizes the potential number of residential units that could be constructed on specific parcels under the current zoning. The idea to limit the number of residential units to 20 per acre resulted from this visual, as well as conversations with the Mayor.

Motion to accept the handout of Commerce Way Overlay District unit count made by Turner;
Seconded by Bolgen;
Motion carried, 6-0-0.

Anderson further stated that there needs to be more thought put into how the proposed zoning amendment may affect other overlay districts in the city, such as a potential exemption on the intergenerational overlay district, which is intended to promote smaller units for senior residents.

Callahan asked Councilor Anderson what his vision is for the Commerce Way corridor. Anderson responded that he would like to have a mixed-use district, not one only comprised of apartment buildings that will not be as modern and appealing a few decades from now.

Callahan stated that there is not a vision for the Commerce Way area quite yet, and a broader plan for the area should precede zoning-related conversations.

Anderson stated that his intent to “set the bar” for the area relative to how much residential can be supported by current infrastructure and public services. During the Commerce Way forum he began to be concerned about the presence of too much residential.

Callahan stated that it may not be that a broad restriction on residential density is appropriate for the Commerce Way Corridor. A project containing 20+ residential units/acre development may make sense in connection with certain proposals or configurations, such as office space.

Anderson stated that he acknowledges that this proposed zoning amendment is not directed at the current development cycle. In this sense, there is not a need to push such an amendment through quickly but to at least begin to have a conversation about what is most appropriate from a zoning perspective.

Alderman Mercer-Bruen stated that she agrees that the City’s approach should incorporate more planning, and that the Lynnfield and Burlington mixed-use development models are ideal, but this type of zoning amendment will assist in the long-term planning effort.

Mercer-Bruen further stated that having this type of amendment in place will allow the City to be better prepared to help guide development when applications are submitted for approval and the city has a vision in place.

Mercer-Bruen further stated that her constituents are concerned about the prospect of what may be developed without a larger plan in place regarding aspects such as infrastructure and transit. She is not opposed to development, and has supported much development in the past, but it needs to be done in a cohesive, as opposed to a piecemeal, fashion.

Edmonds opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

No members of the audience stepped forward.

Callahan stated that it is important for the Board to keep in mind the number of applications received in recent months with the intent of “freezing” the existing zoning to avoid new restrictions that may be put into place, which does not set a good planning precedent.

Bolgen stated that she likes the idea of the proposed amendment but wants to be assured that there is some more thought put into the impacts to all of the overlay districts. She also agrees with Callahan that the zoning “freeze” approach is not ideal and the Board is at a disadvantage when it does not understand precisely what is proposed for a particular lot in the future.

Alderman Higgins stated that a recent subdivision application was filed with the City with the intent of avoiding the recent amendment to the City’s inclusionary housing ordinance (increasing from a 10% to a 15% requirement).

Anderson stated that he will be contacting the Planning Director to have an additional conversation about impacts to the City’s overlay districts with the City Solicitor.

Cassidy stated that she would recommend continuing this public hearing to the Board’s April 24th meeting, at 7:00 pm, so as to provide her with additional time to work with Alderman Anderson and the City Solicitor on the topics raised this evening.

Doherty inquired about whether the April 24th meeting would be slated to be a Planning Board workshop given this continuance and any other public hearings. Cassidy responded that with this public hearing, and an additional upcoming rezoning petition for Garfield Avenue, two public hearings would take a significant amount of potential workshop discussion time.

Doherty stated that he would prefer holding the Garfield Ave hearing on May 8th. Cassidy stated that she would be able to schedule the Garfield Avenue public hearing accordingly.

Motion to continue the maximum residential density zoning amendment public hearing to April 24th, at 7:00 p.m., made by Bolgen;
Seconded by Turner;
Motion carried, 6-0-0.

Doherty asked about the viability of the Fitzgerald Tile project (located at 120 Commerce Way) if the proposed zoning amendment had been in place. Cassidy responded that she would look into an answer to that question. It may be that the owner may have not have been able to propose the project under the 20+ units/acre threshold, as it may have become uneconomical. The actual density of that project, as the City Council approved it, was 88 units per acre.

SHANNON FARM SUBDIVISION: REQUEST FOR EXTENSION OF CONSTRUCTION COMPLETION DATE (Robert W. Murray)

Turner recused herself from this matter.

Attorney Joe Tarby, Murtha Cullina, 600 Unicorn Park Drive, approached the Board on behalf of the Petitioner. The extension of the construction completion date is needed, from June 28, 2018 until June 28, 2020, in order to receive permitting for access onto Lexington Street (review is being conducted by MassDOT). In addition, applications have been made to the various utilities, which are also pending review.

Tarby reviewed the conceptual timeline that was submitted by the developer to the Board. Anticipated completion of the subdivision would occur by May 2020.

Callahan asked about a timeline for the construction of the homes. Tarby responded that no specific date is scheduled for home construction but it will conceivably will occur while construction of the roadway is taking place.

Bolgen stated that she is aware of another project in which Eversource is responsible for a major delay and asked Tarby as to his sense of a utility-specific timeline for the project given the apparent uncertainty. Tarby responded that while he is not involved directly with the utility application, his sense is that he is at least half way through the waiting process. He will pass along more specific information if it becomes available.

Bolgen stated that her concern is that the developer would begin construction on the project in earnest without having utility work officially scheduled to the potential detriment of abutting neighbors. Tarby responded that he understood and would ensure that Mr. Murray is aware of the concern in relation to site disturbance.

Chair Edmonds read the Planning Director's recommendation to extend the construction completion date from June 28, 2018 until June 28, 2020.

Motion to approve the request to extend the subdivision completion date to June 28, 2020, made by Doherty;
Seconded by Callahan;
Motion carried, 5-0-0, with Turner abstaining.

APPROVAL OF PRIOR MEETING MINUTES: February 13, 2018 and February 27, 2018

Motion to accept the February 13, 2018 minutes, as submitted, by Doherty;
Seconded by Callahan;
Motion carried, 5-0-0, with Bolgen abstaining due to meeting absence.

Motion to accept February 27, 2018 minutes, as submitted, made by Callahan;
Seconded by Turner;
Motion carried, 4-0-0, with Doherty and Donovan abstaining due to meeting absence.

PLANNING DIRECTOR'S UPDATE

Cassidy provided an overview of the upcoming applications and public hearings and subdivision matters scheduled for the Board's agenda on April 10th.

Edmonds stated that he will not be able to attend the next Planning Board meeting.

Bolgen inquired about the next meeting when the Board will have a workshop format. Cassidy responded that she envisions that the April 24th meeting will be slated for a continuation of the Board's last workshop discussion held on February 27th.

ADJOURNMENT

Seeing no further business, motion to adjourn at 8:35 p.m. made by Bolgen;
Seconded by Doherty;
Motion carried, 6-0-0.

Table of Documents Used at Meeting

Planning Board Staff Report
26 Winter Street ANR Application: Copy of ANR Plan
12 Buckman Court Definitive Subdivision Application: Copy of applicant waiver request (to forego fire flow testing)
12 Buckman Court Definitive Subdivision Application: Copies of department comment letters from Engineering, Fire, Conservation Commission, Board of Health, Inspectional Services, and Public Works
Douglas Circle Definitive Subdivision Application: Revised project plan (dated March 4 th)
Douglas Circle Definitive Subdivision Application: Project engineer memo (responses to department comments)
Douglas Circle Definitive Subdivision Application: Line-of-sight illustration
Proposed Zoning Text Amendment (establishing minimum residential density): Draft Order
Shannon Farm Definitive Subdivision: Request for a 2-year completion date extension (from June 28, 2018 to June 28, 2020)
Shannon Farm Definitive Subdivision: Updated estimated timeline for subdivision completion
Draft Meeting Minutes: February 13, 2018
Draft Meeting Minutes: February 27, 2018

Respectfully submitted,



Dan Orr,
City Planner/Grant Writer